
BILL NO:	Senate Bill 0514
TITLE:	Criminal Law – Third Degree Assault
COMMITTEE:	Judiciary
HEARING DATE:	March 31, 2026
POSITION:	OPPOSE

The Women's Law Center of Maryland is dedicated to ensuring the physical safety, economic security, and bodily autonomy of women throughout the state. Through direct legal services, policy advocacy, and education, we work closely with survivors of domestic violence, sexual assault, and other forms of abuse, as well as with the nonprofit organizations that serve them. Our work in Maryland's courts gives us a clear view of how assault laws operate in practice and how critical it is that they remain strong, clear, and enforceable.

We very much appreciate the intent behind Senate Bill 514 and the desire to address concerns affecting survivors of sexual assault, domestic violence, and related crimes. Nonetheless, the victims and survivors we represent do not see a need for a lesser degree of assault. They deserve robust protections under the law and judicial tools that meaningfully deter further violence and intimidation.

Second-degree assault already encompasses a wide spectrum of criminal behavior, ranging from attempted assault to harmful or offensive physical contact, including acts such as slapping, hitting, kicking, punching, or the use of a weapon. This flexibility is a strength. It allows courts to consider the full context of the harm and the dynamics of power and control that so often define abusive conduct.

Creating a new third-degree assault classification risks complicating this framework while potentially watering down protections for victims. Conduct that may be labeled "offensive contact" can in fact be terrifying, coercive, and part of an escalating pattern of abuse. For example, it could include placing hands around a person's neck and forcing them against a wall without leaving visible injury, dragging someone across a floor, or striking and pushing a person while threatening future harm. Whether such behavior would fall within or outside proposed exceptions illustrates the uncertainty the bill would introduce.

Moreover, while second-degree assault carries a significant potential penalty, accountability is frequently diminished in practice, with many cases resulting in little or no incarceration and some being placed on the STET docket. The answer is not to create a lesser charge, but to ensure consistent and effective enforcement of the laws we already have.

For these reasons, the Women's Law Center of Maryland respectfully urges the Committee to report House Bill 544 unfavorable. Our focus should remain on strengthening the implementation of existing protections so that survivors receive the safety, dignity, and justice they deserve.